

**THIRTEENTH DAY**

(Wednesday, February 5, 1947)

The Senate met at 10:30 o'clock a. m., pursuant to adjournment, and was called to order by the President pro tempore.

The roll was called and the following Senators were present:

Aikin	Moffett
Brown	Parrish
Carney	Phillips
Chadick	Proffer
Cousins	Ramsey
Crawford	Stanford
Hardeman	Stewart
Harris	Strauss
Hazlewood	Taylor
Jones	Tynan
Kelley of Hidalgo	Vick
Kelly of Tarrant	Weinert
Knight	Winfield
Lane	York

A quorum was announced present.

Reverend J. E. Chester, Chaplain, offered the invocation.

On motion of Senator Aikin, and by unanimous consent, the reading of the Journal of the proceedings of yesterday was dispensed with and the Journal approved.

**Leaves of Absence Granted**

Senator Morris was granted leave of absence for today on account of important business, on motion of Senator Carney.

Senator Bullock was granted leave of absence for today on account of important business, on motion of Senator Crawford.

**Reports of Standing Committees**

Senator Carney submitted the following reports:

Austin, Texas,  
February 5, 1947.

Hon. Allan Shivers, President of the Senate.

Sir: We, your Committee on Civil Jurisprudence, to whom was referred Senate Bill No. 11, have had same under consideration and I am instructed to report it back to the Senate with the recommendation that it do not pass, but that the Committee Substitute do pass in lieu thereof, and be printed.

CARNEY, Chairman.

C. S. S. B. No. 11 was read first time.

Austin, Texas,  
February 5, 1947.

Hon. Allan Shivers, President of the Senate.

Sir: We, your Committee on Civil Jurisprudence, to whom was referred Senate Bill No. 27, have had same under consideration and I am instructed to report it back to the Senate with the recommendation that it do pass, and be printed.

CARNEY, Chairman.

Austin, Texas,  
February 5, 1947.

Hon. Allan Shivers, President of the Senate.

Sir: We, your Committee on Civil Jurisprudence, to whom was referred Senate Bill No. 20, have had same under consideration and I am instructed to report it back to the Senate with the recommendation that it do pass, as amended, and be printed.

CARNEY, Chairman.

Senator Moffett submitted the following report:

Austin, Texas,  
February 5, 1947.

Hon. Allan Shivers, President of the Senate.

Sir: Your Committee on State Affairs, to whom was referred Senate Bill No. 18, instructs me to report it back to the Senate with the recommendation that it do pass and be printed.

MOFFETT, Chairman.

**Senate Bills on First Reading**

The following bills were introduced, read severally first time, and referred to the committees indicated:

By Senator Kelly of Tarrant:

S. B. No. 169, A bill to be entitled "An Act amending Section 1 of Chapter 177, Acts of the Regular Session of the 42nd Legislature, and amending Section 6, of Chapter 177, Acts of the Regular Session of the 42nd Legislature, as amended by Acts 1937, 45th Legislature, Chapter 490, page 1324, Section 1, and amending Section 9, of Chapter 177, Acts of the Regular Session 42nd Legislature, and amending Section 1, of Chapter 39, Acts of the Second Called Session of the 43rd Legislature, as

amended by Acts 1937, 45th Legislature, page 1324, Chapter 490, Section 2, providing for the adoption of minors, establishing legal relations between the children and parents by adoption, establishing and protecting adopted children's right to inherit from and through parents by adoption to same extent as natural children; validating adoption, providing a severance or savings clause; and declaring an emergency."

To Committee on Civil Jurisprudence.

By Senator Hazlewood:

S. B. No. 170, A bill to be entitled "An Act amending Section 16, House Bill No. 80, Acts of the 36th Legislature Regular Session, 1919, by providing that the beginning of the fiscal year in so far as the levying, assessing and collection of taxes for the Dumas Independent School District of Moore County, Texas is concerned shall be the first day of January instead of the first day of August of each calendar year; and declaring an emergency."

To Committee on Education.

By Senator Harris:

S. B. No. 171, A bill to be entitled "An Act amending Article 6246a, Title 109, Vernon's Revised Civil Statutes of 1925, Acts 1933, 43rd Legislature, First Called Session page 4, Chapter 4, Section 6; as amended by Acts of 1935, Chapter 387, page 1565, Section 6, passed by the First Called Session of the 44th Legislature, being House Bill No. 122, 44th Legislature; as amended by Acts 1936, 44th Legislature, Third Called Session, Chapter 510, page 2109, Section 1; as amended by Acts of 1945, 49th Legislature, page 62, Chapter 43, Section 1; to provide that members of the Fire Department, Police Department and the Fire Alarm Operating Department of a city or town coming under the provisions of this Act, and who have been in the Armed Service of the United States during World War II, shall be entitled upon complying with the requirements of this Act to share the benefits of the Firemen and Policemen's Funds and all other benefits provided by the Policemen and Firemen's Pension Fund; providing a savings clause; and declaring an emergency."

To Committee on Counties and County Boundaries.

By Senator Harris:

S. B. No. 172, A bill to be entitled "An Act regulating traffic or travel upon the highways of the State of Texas; prescribing penalties for the violation of the provisions of this Act; containing a savings clause; and declaring an emergency."

To Committee on Highways and Motor Traffic.

By Senator Stanford:

S. B. No. 173, A bill to be entitled "An Act to amend Section 4(b) of the Acts of the Regular Session of the 40th Legislature, 1927, Chapter 270, as amended by House Bill No. 155, Acts of First Called Session of the 41st Legislature, 1929, Chapter 78, so as to provide and require all motor bus companies whose operation extends one hundred miles or more to maintain in all cities and towns served by said companies of three thousand or more population according to the last preceding Federal census, bus depots separate and apart from any other business other than another motor bus or transportation business, and making the failure to provide same unlawful; providing for the display by bus companies of time tables in the bus depots reflecting arrival and departure time of buses; providing for the supervision, regulation and control of bus depots in all cities and towns in Texas by the Railroad Commission of Texas, and authorizing the Commission to adopt rules and regulations for the regulation and control of bus depots in the interest of the public; providing for certain exceptions with regard to existing leases; providing for the operation of cafes, confectionaries, barber shops, lockers and other conveniences by bus companies in bus depots; fixing responsibility for carrying out the provisions hereof; providing a penalty; providing a savings clause; and declaring an emergency."

To Committee on Highways and Motor Traffic.

By Senator Stewart:

S. B. No. 174, A bill to be entitled "An Act creating two additional District Courts in Harris County, Texas, to be known as the 128th and 129th District Courts; adjusting the business of the existing District Courts to the business thereof; providing for the appointment of District Judges therefor; amending so much of Article 199, of the Revised Civil Stat-

utes of Texas, as relates to the District Courts of Harris County, Texas, as amended by Acts 1927, Fortieth Legislature, page 135, Chapter 88, Section 1, and by Acts 1930, Forty-first Legislature, Fifth Called Session, page 131, Chapter 14, and by Acts 1939, Forty-sixth Legislature, Regular Session, page 184, Chapter 15; making an appropriation to pay the salaries of said Judges; repealing all laws in conflict herewith to the extent of such conflict only; and declaring an emergency."

To Committee on Judicial Districts.

By Senators Aikin, Morris, Bullock, Brown, Strauss and Proffer:

S. B. No. 175, A bill to be entitled "An Act to amend Article XX of House Bill No. 8, Chapter 184, Acts of the Regular Session of the 47th Legislature, as amended by adding thereto a new subsection to be numbered (4-a); providing for the appropriation, allocation, and transfer of funds from the Clearance Fund to the State Available School Fund; providing the amount of funds to be transferred from the Clearance Fund to the Available School Fund shall be an amount sufficient to provide a \$55 annual per capita apportionment; providing for estimates to be made by the State Comptroller; and declaring an emergency."

To Committee on Education.

By Senators Aikin, Morris, Bullock, Brown, Strauss and Proffer:

S. B. No. 176, A bill to be entitled "An Act providing a minimum beginning salary of not less than Two Thousand Dollars (\$2,000) for teachers with a recognized bachelor's degree in each school district in Texas; providing for the use of state and local maintenance funds of the various school districts of the state for payment of the salary schedule; providing for salary schedules for teachers who do not meet the minimum required scholastic qualifications; providing for the enforcement of the act; and declaring an emergency."

To Committee on Education.

#### Message from the House

Hall of the House of Representatives,  
Austin, Texas,  
February 5, 1947.  
Hon. Allan Shivers, President of the Senate.

Sir: I am directed by the House

to inform the Senate that the House has passed the following bill and resolution:

H. C. R. No. 19, Memorializing Congress relative to foot and mouth disease, etc.

Senate Bill No. 25, Relative to the 25th Judicial District of Texas.

Respectfully submitted,

CLARENCE JONES,  
Chief Clerk, House of Representatives.

#### Message from the Governor

The following message received from the Governor today, was laid before the Senate, read, and referred to the Committee on Nominations of the Governor:

Austin, Texas,  
February 5, 1947.

To the Senate of the Fiftieth Legislature.

I ask the advice, consent, and confirmation of the Senate with respect to the following appointment:

To be District Attorney of the 47th Judicial District to fill the unexpired term of Honorable James G. Lumpkin, appointed Associate Justice of the Court of Civil Appeals, 7th District:

C. Lloyd King of Amarillo, Potter County.

Respectfully submitted,

BEAUFORD H. JESTER,  
Governor of Texas.

#### House Concurrent Resolution 7

The President pro tempore laid before the Senate, for consideration at this time:

H. C. R. No. 7, Expressing pride and appreciation for the performance by the Cow Boy Band of Hardin-Simmons University of Abilene, Texas, at the inauguration of Governor Jester.

The resolution was read, and by unanimous consent, it was considered immediately and was adopted.

#### House Concurrent Resolution 19

The President pro tempore laid before the Senate, for consideration at this time:

H. C. R. No. 19, Memorializing Congress relative to foot and mouth control, etc.

The resolution was read, and by unanimous consent, it was considered immediately and was adopted.

**Committee Substitute  
Senate Bill 44 on Second Reading**

Senator Proffer moved that Section 5 of Article III of the State Constitution be suspended and that C. S. S. B. No. 44 be taken up for consideration at this time.

The motion prevailed by the following vote:

**Yeas—28**

Aikin	Moffett
Brown	Parrish
Carney	Phillips
Chadick	Proffer
Cousins	Ramsey
Crawford	Stanford
Hardeman	Stewart
Harris	Strauss
Hazlewood	Taylor
Jones	Tynan
Kelley of Hidalgo	Vick
Kelly of Tarrant	Weinert
Knight	Winfield
Lane	York

**Absent—Excused**

Bullock	Morris
Mauritz	

The President pro tempore then laid before the Senate on its second reading and passage to engrossment:

C. S. S. B. No. 44, "An Act making an appropriation out of any moneys in the General Revenue Fund in the State Treasury, not otherwise appropriated, to supplement the regular appropriation to the State Department of Education for the benefit of the Main Office, so that said department may be able to maintain administration of school lunch funds, inspection of school plants of this State for safety and design, for secretarial and clerical hire, contingent expense, equipment and machines; Board of Examiners for seasonal examiners, stationery, printing, supplies and contingent expense, totaling Thirty-seven Thousand Five Hundred Seventy-one dollars (\$37,571.00) for the remainder of the fiscal year ending August 31, 1947; and declaring an emergency."

The bill was read second time and was passed to engrossment.

**Committee Substitute  
Senate Bill 44 on Third Reading**

Senator Proffer moved that the constitutional rule requiring bills to

be read on three several days be suspended and that C. S. S. B. No. 44 be placed on its third reading and final passage.

The motion prevailed by the following vote:

**Yeas—28**

Aikin	Moffett
Brown	Parrish
Carney	Phillips
Chadick	Proffer
Cousins	Ramsey
Crawford	Stanford
Hardeman	Stewart
Harris	Strauss
Hazlewood	Taylor
Jones	Tynan
Kelley of Hidalgo	Vick
Kelly of Tarrant	Weinert
Knight	Winfield
Lane	York

**Absent—Excused**

Bullock	Morris
Mauritz	

The President pro tempore then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

**Yeas—28**

Aikin	Moffett
Brown	Parrish
Carney	Phillips
Chadick	Proffer
Cousins	Ramsey
Crawford	Stanford
Hardeman	Stewart
Harris	Strauss
Hazlewood	Taylor
Jones	Tynan
Kelley of Hidalgo	Vick
Kelly of Tarrant	Weinert
Knight	Winfield
Lane	York

**Absent—Excused**

Bullock	Morris
Mauritz	

**Hour for Executive Session**

On motion of Senator Brown, the Senate at 11:00 o'clock a. m., agreed to hold an Executive Session of the Senate at 11:05 o'clock a. m., tomorrow.

**Senate Bill 17 on Second Reading**

Senator Winfield moved that Sec-

tion 5 of Article III of the State Constitution be suspended and that S. B. No. 17 be taken up for consideration at this time.

The motion prevailed by the following vote:

## Yeas—28

Aikin	Moffett
Brown	Parrish
Carney	Phillips
Chadick	Proffer
Cousins	Ramsey
Crawford	Stanford
Hardeman	Stewart
Harris	Strauss
Hazlewood	Taylor
Jones	Tynan
Kelley of Hidalgo	Vick
Kelly of Tarrant	Weinert
Knight	Winfield
Lane	York

## Absent—Excused

Bullock	Morris
Mauritz	

The President pro tempore then laid before the Senate on its second reading and passage to engrossment:

S. B. No. 17, A bill to be entitled "An Act making an appropriation for the Pecos River Compact Commissioner for the State of Texas; providing that the Pecos River Compact Commissioner shall receive not to exceed Ten Dollars (\$10) per day for each day spent in the performance of his duties, plus actual and other necessary expenses; prescribing the method whereby funds therein appropriated shall be paid out of the State Treasury; providing that court costs and expenses incident to any suit or suits that may be filed by the Attorney General of Texas for the protection of the interest of the State of Texas in and to the waters of the Pecos River shall be paid out of the funds therein appropriated, and declaring an emergency."

The bill was read second time and was passed to engrossment.

## Senate Bill 17 on Third Reading

Senator Winfield moved that the constitutional rule requiring bills to be read on three several days be suspended and that S. B. No. 17 be placed on its third reading and final passage.

The motion prevailed by the following vote:

## Yeas—28

Aikin	Moffett
Brown	Parrish
Carney	Phillips
Chadick	Proffer
Cousins	Ramsey
Crawford	Stanford
Hardeman	Stewart
Harris	Strauss
Hazlewood	Taylor
Jones	Tynan
Kelley of Hidalgo	Vick
Kelly of Tarrant	Weinert
Knight	Winfield
Lane	York

## Absent—Excused

Bullock	Morris
Mauritz	

The President pro tempore then laid the bill before the Senate on its third reading and final passage.

The bill was read third time and was passed by the following vote:

## Yeas—28

Aikin	Moffett
Brown	Parrish
Carney	Phillips
Chadick	Proffer
Cousins	Ramsey
Crawford	Kelley of Hidalgo
Hardeman	Stewart
Harris	Stanford
Hazlewood	Taylor
Jones	Tynan
Strauss	Vick
Kelly of Tarrant	Weinert
Knight	Winfield
Lane	York

## Absent—Excused

Bullock	Morris
Mauritz	

## Adjournment

On motion of Senator Vick, the Senate, at 11:15 o'clock a. m., adjourned until 10:30 o'clock a. m., tomorrow.

## FOURTEENTH DAY

(Thursday, February 6, 1947)

The Senate met at 10:30 o'clock a. m., pursuant to adjournment, and was called to order by the President.

The roll was called and the following Senators were present: